

# LEGISLATIVE UPDATE

June 8, 2012

## Meetings June 11 – June 15

### Tuesday Committee Meetings

8:30 AM

Senate Appropriations, 643 LOB

HB 950 Modify 2011 Appropriations Act

10:00 AM

House Education Committee, 643 LOB

HB 1018 Yadkin Valley Career Academy

HB 1049 Bladen Community College Fed. Loan Program

SB 805 Isothermal Community College Fed Loan Program

## Summary of Key Legislation and Additional Resources

### Bills that made progress June 4 – June 8.

This week, two ratified bills were sent to the Governor. The first was House **HB 966 Teacher Prepayment and Salary/Pre-K Eligibility**. It contained three distinct sections: (1) repeal the prohibition against prepayment of teachers; (2) return the pre-kindergarten eligibility criteria to what was used before the 2011 session; and (3) provide the salary schedules for school administrators and teachers. The Senate added the second and third sections and returned it to the House for concurrence. The House concurred with the changes just hours before the court of appeals hearing on whether the General Assembly's actions regarding PreK in the 2011 session violated constitutional requirements for an equal opportunity to a sound, basic education. The schedule is the same as in the House budget. By providing it in a separate bill, the Senate has signaled that it could consider leaving without revising the biennial budget put in place last year. (More on the budget below)

While the bill generated considerable discussion in floor debates, once passed, the Governor immediately signed **SB 582 Authorize Indian Gaming/Revenue**. This bill provides the necessary authorization of the compact between the Governor and the Eastern Band of Cherokee Indians to allow live games and two new casinos. It establishes the Indian Gaming Education Revenue Fund that will receive a small portion of the generated revenues. The fund calls for the State Board of Education to disburse quarterly allotments based on average daily membership to local school administrative units, charter schools, and regional schools. The funds can be used for classroom teachers, teacher assistants, classroom materials or supplies, or textbooks. Approximately \$2 to \$3 million is expected for the fund in upcoming years.

**Senate Bill 795 Excellent Public Schools Act** passed its third reading in the Senate on Monday. After being received by the House, it was referred to the House Education Committee. In the Senate debate, Senator Stein offered an amendment that addressed multiple aspects of the bill. [Here is a link to the amendment](#). The bill sponsors opposed the amendment but noted that there were some good ideas. The amendment was defeated along party lines.

The discussion of Senate Bill 795 has included broader discourse on the state of public education. State Superintendent Atkinson provided information at the Raleigh Chamber of Commerce meeting on June 7. [Here is a](#)

[link to the information that was provided](#). The State Board and the Department of Public Instruction continue to have concerns about this bill and the need to have more time for discussion of education initiatives in the long session. Dr. Atkinson's recent blog addresses concerns regarding the report card, including that it does not address growth and that a single indicator obfuscates the progress and conditions at a particular school. [Here is a link to the blog](#).

Last week, the Senate stripped **HB 503 Parent Choice/Clarify Pre-Kindergarten** from focusing on child nutrition standards in the public schools to addressing the role of child care facilities in checking the nutritional content of food brought from home (the chicken nuggets bill.) The House voted 115-1 to not concur with the Senate version. The bill will now go to a conference committee.

A bi-partisan bill, **HB 1096 Simply School Beverage Contract Bids**, moved swiftly through the House this week, has been received by the Senate, and referred to the Senate Education/Higher Education Committee. It would save school districts money by removing a current requirement on local school administrative units to bid water and juice contracts separately. This bill has been widely supported by schools as well as the Department of Public Instruction and State Board of Education. Because the Senate has signaled that they are stopping committee meetings, it will be important to either encourage Senate Education/Higher Education chairs to convene or to find another way for the provisions of the bill to be heard.

Another bill related to child nutrition is **HB 1003 Child Nutrition Program Solvency and Support**. This bill provides \$80,000 in state funds to support the administrative duties associated with the NC Child Nutrition Procurement Alliance. It also provides that no local school administrative unit shall assess indirect costs to a child nutrition program unless the child nutrition program's food services account balance is greater than an average month's cost of operation for the child nutrition program. After receiving a favorable report in the House Health and Human Services Committee, it was re-referred to the House Committee on Appropriations. Any bills with funding requirements may face a challenge at this point in the session.

The House Education Committee considered a proposed committee substitute offered by Representative Blackwell to **HB 964 No Liability for Private Schools**. ([Here is a link to the PCS](#)) The original bill was recommended by the House Select Education Reform Committee to address the need for liability protection for private colleges to participate in the developing PreK-20 longitudinal data system. The House select committee heard presentations of a grant proposal by a coordinated cross-agency council that includes public schools, community colleges, private colleges and universities, and the university system. The purpose of the proposed system is to allow better transfer and sharing of data. The proposed committee substitute created a structure for the data sharing system. The committee will take the issue up at its next meeting in order to give time for Representative Blackwell to work with the collaborative group. Legislators asked a number of questions about whether the PCS would require state funds and whether it conflicted with the grant proposal.

The House Education Committee also considered and gave a favorable report to **SB 755 Education Associations/Equal Access Act**.

Bills affecting public school transportation also made progress this week. Derek Graham, section chief for transportation services provides the following explanation of this legislation. If you have questions, you can contact Derek at [derek.graham@dpi.nc.gov](mailto:derek.graham@dpi.nc.gov).

**HB 177 Clean Energy Transportation Act** was heard Thursday in the Senate Commerce Committee. The impact for the public schools is that we are directed to participate in a study to be done by the State Energy Office by December 1, 2012. The study will be done in cooperation with the Department of Public Instruction, the Department of Transportation, the Department of Administration and others as needed to evaluate alternative fuels, including CNG, for school buses. This bill is headed to the Senate floor for a vote and then, if favorable, to the House for concurrence.

**HB 261 Motor Carrier Markings** passed the House last session and has been taken up by the Senate Transportation Committee. The primary purpose of the bill is to require similar markings on intrastate commercial vehicles as required on interstate commercial vehicles. School buses are exempt from such markings by federal law (49 C.F.R. Part 390). The initial wording of House Bill 261 exempted motor vehicles that are already governed

by the federal regulations but did not state anything about motor vehicles exempted from the federal regulations. This bill passed the Senate Commerce Committee Wednesday and was sent to the Senate floor for a vote Thursday. The Department of Public Instruction requested that an amendment be added to specifically exempt vehicles – such as school buses - from the state law that are also exempted from the federal law. The bill was so amended and passed with the school bus exemption Thursday afternoon. It will now be sent back to the House.

**HB 451 Driving While License Revoked (DWLR) Penalties / Vehicle Seizures** passed the Senate Judiciary II Committee Thursday and is being re-referred to the Senate Appropriations Committee. This bill would require seizure of a vehicle when the driver is charged with DWLR and already has two prior DWLR's in the past 10 years. These vehicle seizures would be treated the same as DWI seizures, part of the state contract with proceeds going to the school districts.

**HB 1065 Use Moore School Buses for 2012 US Open** had already passed the House and this week has received a favorable report from the Senate Education and Senate Rules Committees without any changes. This bill would allow Moore County School Buses to be used for the non-instructional purpose of supporting the U.S. Open in 2014.

**SB 920 Increase Replacement Cycle / School Buses** has been referred to the Senate Education committee. It is sponsored by Senator Tucker of Union County. At this time there are no co-sponsors. Senator Tucker has told us that his main purpose was to “start the conversation” and that he understands the purpose of the 20 year maximum life. The Department of Public Instruction has requested a meeting with Senator Tucker to discuss.

#### **Other bills that had moved this week –**

**HB 1063 Excuse School Day for Johnston Co. School**, ratified

**SB 810 Regulatory Reform Act of 2012**, passed 3<sup>rd</sup> reading in the Senate, received in the House, passed 1<sup>st</sup> reading and referred to Committee on Commerce and Job Development.

**SB 851 Boards and Commission Efficiency Act of 2012**, committee substitute received a favorable report in the Senate Program Evaluation Committee, committee substitute adopted, re-referred to the Senate Committee on Finance.

#### **Budget –**

The Senate Appropriations Subcommittee on Education met on Thursday. In a sparsely attended meeting, the committee reviewed the budget bill delivered by the House. The Senate has indicated that it will have a budget to share soon. It is possible that a budget will be posted over the weekend. It is then anticipated that it will be reviewed in Senate Appropriations on Tuesday. By the end of the week, the Senate intends to pass the budget bill. Senator Apodaca has said that Senate policy committees will not meet during this time. The Senate is at least signaling a willingness to depart soon.

By the end of this week, there has been considerable speculation of how the House and Senate perspectives on the budget will be reconciled. Part of this is a question of whether major policy issues will be incorporated into the budget. The House budget includes a reserve of funds for Representative Stam's bill for corporate tax credits. Senate Bill 795 could be included in parts in the Senate budget. Next week could be an extremely important week for both substantive policy and funding issues. For the perspectives of the State Superintendent Atkinson and State Board Chair Bill Harrison, please visit their blogs over the next week. ([State Superintendent's blogs](#)) ([Chairman Bill Harrison's blogs](#)).

## **Listing of Bills with Impact on Students and Public Schools**

(bills in **BOLD** had action this week)

### **HOUSE BILLS**

#### **HB 177 Environmental Technical Corrections 2011** (Samuelson, McElraft)

An Act to make clarifying, conforming, and technical amendments to various laws related to the environment and natural resources.

*6/7/2012 Committee substitute received a favorable report in the Senate Commerce Committee, committee substitute adopted*

#### **HB 224 State Health Plan/Add Schools; Whistleblowers** (Murry)

An Act to authorize Sterling Montessori Academy and charter school, the Casa Esperanza Montessori Charter School, and Kestrel Heights School to elect to participate in the State Health Plan for Teachers and State Employees and to provide protections for whistle-blowers alleging fraud or other misconduct related to the State Health Plan.

*6/6/2012 Committee substitute received a favorable report in the Senate Insurance Committee, committee substitute adopted*

*6/7/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate, engrossed*

#### **HB 261 Intrastate Motor Carrier Markings** (McComas)

An Act to require intrastate motor carriers to be marked.

*6/6/2012 Committee substitute received a favorable report in the Senate Transportation Committee, committee substitute adopted*

*6/7/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate, engrossed*

*6/8/2012 Received in the House*

#### **HB 322 Haywood School Board Filing Period** (Rapp, Haire)

An Act to allow the Haywood County Board of Elections to extend the filing period if no person files for a seat on the Haywood County Board of Education.

*6/7/2012 Received a favorable report in the State and Local Government Committee*

#### **HB 451DWLR Penalties Increased/Vehicle Seizures** (Starnes)

An Act to increase the penalties for driving while license revoked by setting minimum fines for the initial and subsequent convictions and by providing for the seizure and forfeiture of the vehicle being operated by a driver whose license or driving privileges are revoked if the driver has two prior convictions for driving while license revoked and it is the third such offense in a ten-year period.

*6/7/2012 Committee substitute received a favorable from the Judiciary II Committee, committee substitute adopted, re-referred to the Committee on Appropriations/Base Budget*

#### **HB 503 Nutrition Standards/All Foods Sold At School** (Insko, LaRoque)

An Act directing the State Board Of Education to adopt rules for other food sale operations on the school campus and to require charter schools participating in the national school lunch program and local boards of education to implement these rules by the 2012-2013 school year.

*6/5/2012 - Senate committee substitute failed concurrence in the House, a conference committee was appointed*

#### **HB 946 (SB 871) Restore Funding for Teaching Fellows Program** (McLawhorn, Lucas, Bell, Tolson)

An Act to restore funding for the Teaching Fellows Program.

- This would appropriate \$3,475,000 to restore funding.

*5/17/2012 Referred to the House Committee on Appropriations.*

#### **HB 964 No Liability for Private Schools** (Blackwell, Holloway, Johnson, Jordan)

An Act to provide that private colleges and universities, -nonpublic schools, and the North Carolina Independent Colleges and Universities are not liable for a breach of confidentiality caused by the act or omission of a state agency, local school administrative unit, community college, or constituent institution of the University Of North Carolina, as recommended by the [House Select Committee on Education Reform](#).

- As explained in the committee report, this bill is intended to address liability concerns regarding sharing information as a part of the PreK to 20 Data System.

*5/17/2012 Referred to the House Committee on Education.*

[HB 965 Broaden Successful AP Participation](#) (Blackwell, Holloway, Johnson, Jordan)

An Act to broaden successful participation by students in advanced placement courses and to create performance incentives for schools and teachers for student excellence in advanced placement courses, as recommended by the [House Select Committee on Education Reform](#).

- The committee report identifies the cost for implementation at \$11,660,921.

*5/23/2012 Committee substitute received a favorable report in the House Education Committee, re-referred to the House Appropriations Education Subcommittee*

[HB 966 Repeal Prohibition on Teacher Prepayment](#) (Holloway, Johnson, Blackwell, Hilton) (See also companion bill, SB 823)

An Act to repeal the prohibition on teacher prepayment provision in the School and Teacher Paperwork Reduction Act of 2011, as recommended by the [Joint Legislative Education Oversight Committee](#).

- This would repeal section 5 of SL 2011-379 (H720). The repeal would return salary payment requirements in G.S. 115C-302.1(b) to language existing prior to the 2011 Session

*6/6/2012 Presented to the Governor*

[HB 967 Yadkin Valley Career Academy Funding](#) (Dockham)

An Act to provide funding for the Yadkin Valley Regional Career Academy.

- This would appropriate \$307,650 for a school run by Davidson County Schools, Lexington City Schools and Thomasville City Schools.

*5/17/2012 Referred to the House Committee on Appropriations.*

[HB 974 Eliminate Student Cost Reduced-Price Breakfast](#) (LaRoque, Sanderson)

An Act to appropriate funds to the Department of Public Instruction for the Child Nutrition Program to eliminate the student cost for reduced-price breakfast in order to increase breakfast participation, as recommended by the [House Select Committee on Childhood Obesity](#).

- This would appropriate \$1,700,000 to supplement federal child nutrition funds.

*5/17/2012 Referred to the House Committee on Appropriations.*

[HB 976 Task Force & Work Group on PE and Fitness](#) (LaRoque, Sanderson)

An Act to establish the Task Force on Physical Education and Physical Activity in Schools and to direct the State Board of Education to coordinate a work group to examine the current status of data collection from fitness testing conducted in kindergarten through eighth grade, as recommended by the [House Select Committee on Childhood Obesity](#).

*5/17/2012 Referred to the House Committee on Education.*

[HB 977 School Mealtime](#) (LaRoque, Sanderson)

An Act to direct the State Board of Education and the Department of Public Instruction to determine optimal seat time for students eating meals in public schools and to explore mealtime options, as recommended by the [House Select Committee on Childhood Obesity](#).

*5/17/2012 Referred to the House Committee on Education*

[HB 978 Funds for Child Nutrition](#) (LaRoque, Sanderson)

An Act to appropriate funds to the Department of Public Instruction for the Child Nutrition Program to assist child nutrition programs in meeting nutrition standards, as recommended by the [House Select Committee on Childhood Obesity](#).

- This would appropriate \$20,000,000.

*5/17/2012 Referred to the House Appropriations Subcommittee on Education*



[HB 984 Restore Funding to NCCAT](#) (Rapp)

An Act to restore funding for the North Carolina Center for the Advancement of Teaching.

- This would appropriate \$3,000,000.

*5/17/2012 Referred to the House Committee on Appropriations.*

[HB 985 Driver Education Fee Paid When Getting Permit](#) (Gillespie)

An Act to collect a fee for Driver Education when applying for a limited learner's permit.

- This bill would add a new \$15 fee for all learner's permits and an additional \$45 fee to be credited to the costs of the driver education program provided through the public schools. This would seem to be an alternative approach to charging students at the time the time that they take the course.

*5/21/2012 Passed 1<sup>st</sup> Reading, referred to the House Committee on Finance*

[HB 995 Tax Adjustment Plan](#) (Owens)

An Act to increase the sales tax by a penny, reduce the corporate income tax rate by one percent, increase the personal exemption for personal income tax, give state employees and teachers a two percent pay raise, and provide additional funds for education.

*5/21/2012- Passed 1<sup>st</sup> reading, referred to the House Committee on Finance, if favorable, Appropriations*

[HB 998 Funds to Reduce Class Size in K-3](#) (Glazier, M. Alexander, Gill, Rapp)

An Act to appropriate funds to reduce class size in kindergarten through third grade.

- This would appropriate \$92,885,877.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Appropriations*

[HB 999 Restore LEA Flexibility Adjustment Funding](#) (Glazier, Michaux, Rapp, McLawhorn)

An Act to restore public school flexibility adjustment funding.

- This would appropriate \$503,067,940 to remove the "negative reserve" - also referred to as the discretionary cut - that requires school districts to make budget cuts at the local level and return the funds to the state.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Appropriations*

[HB 1002 Bill of Rights/Deaf/Hearing Impaired](#) (Blackwell, Holloway, Jordan, Gill)

An Act establishing a bill of rights for children who are deaf or hearing impaired, as recommended by The House Select Committee on Education Reform.

- This would create additional rights and processes different from what already is provided in federal and state laws related to children with disabilities.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Judiciary Subcommittee A.*

[HB 1003 \(SB 842\) Child Nutrition Program Solvency and Support](#) (Howard)

**An Act (1) to prohibit local school administrative units from assessing indirect costs to a Child Nutrition Program unless the program is financially solvent and (2) to appropriate funds to promote optimal pricing for child nutrition program foods and supplies, as recommended by [The Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.**

- This would appropriate \$80,000 to support the North Carolina Procurement Alliance.

*6/5/2012 Received a favorable report in the House Committee on Health and Human Services and re-referred to Appropriations*

[HJR 1004 Reform Workforce Development](#) (Howard)

A Joint Resolution expressing the opinion of the General Assembly that the local provision of Workforce Investment Act Services should be streamlined by realigning local workforce development areas with the boundaries of councils of governments established pursuant to G.S 160a-470, as recommended by the Program Evaluation Division and endorsed by the [Joint Legislative Program Evaluation Oversight Committee](#).

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Commerce and Job Development.*

**HB 1018 Yadkin Valley Career Academy** (Dockham)

An Act to authorize approval of the Yadkin Valley Regional Career Academy as a Cooperative Innovative High School for the 2012-2013 school year.

*5/22/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

**HB 1030 (SB 877) Accountability for Taxpayer Investment Act** (Blackwell, Avila, Hager)

An Act to require state agencies and certain non-state entities to develop, implement, and maintain information systems that provide uniform, program-level accountability information regarding the programs operated by those agencies, as recommended by the LRC Committee on Efficiencies in State Government.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to House Committee on Finance.*

**HB 1031(SB 878) Smarter Gov. Business Intelligence Initiative** (Blackwell, Avila, Hager)

An Act to establish enterprise-wide business intelligence as a key component of all state governmental operations in order to maximize data integration and analytics, thereby yielding more efficient government and advancing innovation in North Carolina, as recommended by the Legislative Research Commission Study Committee on Efficiencies in State Government.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Commerce and Job Development.*

**HB 1042 (SB 879) Establish Efficiency & Cost Savings Commission** (Blackwell, Avila, Hager, Crawford)

An Act to establish the Joint Legislative Efficiency And Cost Savings in State Government Study Commission, as recommended by the LRC Committee on Efficiencies in State Government.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Rules, Calendar, and Operations of the House.*

**HB 1045 Salary Increase for School Employees** (Glazier, Rapp, McLawhorn, Carney)

An Act to increase the salaries of public school employees.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations.*

**HB 1046 Funds for Student 2 Student Initiative** (Glazier, Hamilton, Martin, Lucas)

An Act to appropriate funds for the Student 2 Student Initiative.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Appropriations.*

**HB 1056 (SB 834) Partnership for Children Participant Records** (Burr, Dollar)

An Act to limit access to identifying information of minor participants in programs funded by the North Carolina Partnership for Children or other local partnerships, as recommended by the Joint Legislative Oversight Committee on Health and Human Services

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Health and Human Services.*

**HB 1058 Reform Workforce Development** (Howard)

An Act initiating reform of the Workforce Development Laws of North Carolina, modifying the composition of the North Carolina Commission on Workforce Development, and establishing the Joint Legislative Workforce Development System Reform Committee, as recommended by the Joint Legislative Program Evaluation Oversight Committee based on recommendations from the Program Evaluation Division.

*5/23/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Finance.*

**HB 1063 Excuse School Day for Johnston Co. School** (Langdon)

An Act to give the Johnston County Board of Education additional flexibility with regard to instructional time lost at McGee's Crossroads Elementary School.

*6/5/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate*

*6/6/2012 Ratified Ch. SL 2012-5*

**HB 1065 Use Moore School Buses for 2012 US Open** (Boles, Hackney)

An Act to allow the Moore County Board of Education to (i) permit the use of public school buses to serve the transportation needs of the 2014 U.S. Open Golf Tournament and (ii) begin the 2013-2014 school year one week earlier.

*6/5/2012 Received a favorable report in the House Committee on Education, placed on calendar for 6/5/2012 and passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the House*

*6/6/2012 Received in the Senate, passed 1<sup>st</sup> reading in the Senate and re-referred to the Senate Committee on Rules and Operations*

*6/7/2012 Received a favorable report in the Senate Committee on Rules and Operations of the Senate*

**HB 1071 Wake County School Board Organizational Meeting** (Gill, Ross, Murry, Jackson)

An Act to provide for the date for the organizational meeting of the Wake County Board of Education to be governed by general law.

*6/7/2012 Received a favorable report in the House Committee on Government, placed on House calendar for 6/11/2012*

**HB 1074 Stop Waste, Fraud, and Abuse in Govt. Act.** (Moffitt)

An Act to make changes to the statutes governing the Teachers' and State Employees' Retirement System, the Local Governmental Employees Retirement System, and the Disability Income Plan of North Carolina to enhance the operation of the medical board; to establish guidelines for fraud investigations that will enhance the Department of State Treasurer's capability to prevent and detect fraud, waste, and abuse; to create a rebuttable presumption of fraud in the average final compensation calculation; and to make it a Class 1 misdemeanor to fraudulently receive the retirement benefit of a deceased disability retiree at least two months after the retiree's death.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on State Personnel, if favorable, Finance.*

**HB 1085 State Health Plan/Statutory Changes** (Dollar)

An Act to, for the State Health Plan for Teachers and State Employees, which covers retirees within the Retirement System, (1) amend the definition of "dependent child" in order to comply with the affordable care act, (2) limit enrollment without a qualifying event to the annual enrollment period, (3) repeal the optional program of long-term care benefits, and (4) make a clarifying change related to coinsurance.

*6/6/2012 Committee substitute received a favorable report in the House Committee on State Personnel, re-referred to the House Finance Committee.*

**HB 1094 Continue Local Food Advisory Council** (Bradley, Dixon)

An Act to rename the North Carolina Sustainable Local Food Advisory Council as the North Carolina local food advisory council and to extend the sunset on the law establishing the council, as recommended by the House Select Committee on Agricultural Regulations.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Agriculture.*

**HB 1096 Simplify School Beverage Contract Bids** (Sanderson, LaRoque)

An Act to save money by removing local school administrative units from the separate bid requirements for juice and water, as recommended by the House Select Committee on Childhood Obesity.

*6/5/2012 Received a favorable report in the House Committee on Education, placed on House calendar for 6/5/2012, passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the House*

*6/6/2012 Received in the Senate, passed 1<sup>st</sup> reading, re-referred to the Education and Higher Education Committee*

**HB 1097 Fund Child Nutrition Salary & Benefit Costs Inc.** (Sanderson, LaRoque)

An Act to appropriate funds to the Department Of Public Instruction to offset the cost of salary and benefit increases required by the state for child nutrition personnel in local school administrative units, as recommended by the House Select Committee on Childhood Obesity.

*5/24/2012 Passed 1st reading in the House, referred to the House Committee on Appropriations Subcommittee on Health and Human Services.*



[HB 1098 Continue the Sustainable Local Food Advisory](#) (Sanderson, LaRoque)

An Act to continue the work of the sustainable local food advisory council, as recommended by the House Select Committee on Childhood Obesity.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Health and Human Services.*

[HB 1099 Support Procurement & Farm to School/Funds](#) (Sanderson, LaRoque)

An Act to reduce child nutrition program food costs by encouraging participation in the North Carolina Procurement Alliance and by appropriating funds for administrative support for the procurement alliance; and to encourage use of the farm to school program and appropriate funds for child nutrition program equipment to encourage preparation and consumption of locally grown fruits and vegetables, as recommended by The House Select Committee On Childhood Obesity.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Agriculture, if favorable, Appropriations.*

[HB 1104 Scholarship Funding Corporate Tax Credit](#) (Stam, Brisson, Hager, Brandon)

An Act to create a tax credit for corporations making donations to fund education scholarships.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Finance.*

[HB 1112 \(SB 874\) Arts Education as a Graduation Requirement](#) (Carney, Johnson, Glazier, Adams)

An Act directing the State Board Of Education to require one arts education credit for graduation from high school, as recommended by the Arts Education Commission.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education, if favorable Appropriations.*

[HB 1113 Implementation of Comprehensive Arts Educ.](#) (Carney, Johnson, Glazier, Adams)

An Act directing local school administrative units to implement a comprehensive arts education plan, as recommended by the Arts Education Commission.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education, if favorable Appropriations.*

[HB 1119 LEAs Required to Enhance Arts Education](#) (Johnson, Carney)

An Act directing local school administrative units and Public Schools in North Carolina to enhance their arts education programs, as recommended by the Arts Education Commission.

*5/24/2012 Passed 1<sup>st</sup> reading in the House, referred to the House Committee on Education.*

[HB 1125 Teen Dating Violence Prevention Act](#) (Horn)

An Act to provide for the education of North Carolina high school students about teen dating violence and abuse.

*5/25/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education.*

[HB 1126 Repeal Increase in Instructional Days](#) (Horn)

An Act to repeal the law increasing the number of instructional days in the public schools.

*5/25/2012 Passed 1<sup>st</sup> reading, referred to the Committee on Education*

[HB 1146 Make Disable Child Education Tax Credit Refundable](#) (Stam, Randleman, Jones, Jordan)

An Act to make the individual income tax credit for children with disabilities who require special education refundable.

*5/25/2012 Passed 1<sup>st</sup> reading in the House, referred to the Committee on Education if favorable, Finance*

[HB 1151 Restore Funds/Early Child Care & Ed. Services](#) (Insko, Rapp, McLawhorn, Glazier)

An Act to restore funding to the Department Of Health And Human Services, Division Of Child Development and Early Education, for various programs affecting early childhood education and care.

*5/29/2012 Passed 1<sup>st</sup> Reading, referred to the House Committee on Appropriations*

[HB 1152 Cap on Charter Schools/Durham County](#) (Luebke, Hall, Michaux)

An Act to limit the number of Charter Schools located in Durham County.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Finance*

**HB 1153 Standards for Charter Schools Durham County** (Luebke, Michaux, Hall)

An Act to set standards for Charter Schools located in Durham County.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Government*

**HB 1183 Funds for NCCAT Teacher Leadership Initiative** (Haire)

An Act to appropriate funds for a Teacher Leadership Initiative operated by the North Carolina Center for the Advancement of Teaching.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Appropriations*

**HB 1186 Restore Budget Cuts/Add Temp. Sales Tax** (Faison, Hall)

An Act to provide for the restoration of personnel positions eliminated in the public schools, the University of North Carolina, the Community College System, and state government employment pursuant to the provisions of the 2011 Appropriations Act; to reduce program and service reductions in Medicaid and Health Choice; and to provide additional funding to the Highway Patrol and to the Savings Reserve Account, all in that order, by temporarily increasing the sales and use tax by seven-tenths of one percent until July 1, 2015.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Commerce and Job Development, if favorable, Appropriations, if favorable, Finance*

**HJR 1191 Resolution of Disapproval of Reorganization** (Cleveland)

A House Resolution specifically disapproving Executive Order No. 85, issued March 25, 2011, under provisions of the North Carolina Constitution granting either house of the General Assembly to do so, as the General Assembly has accomplished administrative reorganizations by legislation.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Judiciary Subcommittee C*

**HB 1212 Chatham Local Government Info/Minors** (Hackney)

An Act as to the county of Chatham to broaden the exception to the public records act for identifying information of minors participating in local government parks and recreation programs to include all local government programs, and also to protect e-mail addresses of minors in such programs.

*6/7/2012 Committee substitute received a favorable report in the House Committee on Government, placed on House calendar for 6/11/2012*

## SENATE BILLS

**SB 416 School Buses/State Vehicles/Tires** (Harrington, Rabon, Forrester)

An Act providing that the state and local boards of education shall use the most cost-efficient tire retreads on and preserve critical tire information for state vehicles and school buses, respectively.

*6/6/2012 Committee substitute changing the bill to Amend Racial Justice Act received a favorable report in the Judiciary B subcommittee, re-referred to the Judiciary Subcommittee B.*

**SB 582 Authorize Indian Gaming/Revenue** (Apodaca, Davis, Nesbitt)

An Act to authorize additional Class III gaming on Indian lands pursuant to a Tribal-State Gaming Compact, to create the Indian Gaming Education Revenue Fund, and to appropriate funds.

- This would provide the necessary authorizing legislation for the First Amended & Restated Tribal State Compact entered into by Governor Perdue and the Eastern Band of Cherokee Indians.

*6/5/2012 Passed 3<sup>rd</sup> reading in the House.*

*6/6/2012 Concurred in the House, ratified, presented to the Governor*

*6/6/2012 Signed by the Governor, Ch. SL 2012-6*

**SB 755 Ed. Employees Assn./Equal Access Act.** (Tommy Tucker)

An Act to enact the equal access act.

*6/5/2012 Committee substitute received a favorable report in the House Committee on Education, withdrawn from the House calendar, re-referred to the House Committee on Rules, Calendar and Operations.*

### **SB 795 Excellent Public Schools Act** (Apodaca, Berger, Tillman)

An Act to make changes to improve K-3 literacy; provide literacy volunteer leave time; assign school performance grades; maximize instructional time; adjust school calendar start and end dates; fund five additional instructional days within the existing school calendar; establish an NC Teacher Corps; strengthen teacher licensure requirements; provide proof of state-funded liability insurance; establish plans for pay for excellence; end tenure; and eliminate public financing for the Office Of Superintendent of Public Instruction.

- This extensive reform package was filed by President Pro Tempore Berger when the General Assembly returned during the interim for a special session on April 23. It is on the agenda for the Senate Education Committee on Education/Higher Education for Wednesday, May 23. It would appropriate the following: \$34,087,650 for early literacy and \$11,350,000 for additional five instructional days (\$1,200,000 for noninstructional support personnel and \$10,150,000 for transportation).

*6/4/2012 Passed 3<sup>rd</sup> reading in the Senate, engrossed*

*6/5/2012 Received in the House, passed 1<sup>st</sup> reading, referred to the House Committee on Education, if favorable, Appropriations*

### **SB 803 Retirement Administrative Changes** (Stevens)

An Act to make changes to the administration of the state retirement systems.

*6/6/2012 Committee substitute received a favorable report in the Senate Committee on Pensions & Retirement and Aging, committee substitute adopted*

*6/7/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate*

*6/7/2012 Received in the House, passed 1<sup>st</sup> reading and referred to the House Committee on State Personnel*

### **SB 804 Retirement Technical Corrections** (Stevens)

An Act to make technical and conforming changes to statutes affecting the state retirement systems.

*6/6/2012 Received a favorable report in the Senate Committee on Pension & Retirement and Aging*

*6/7/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate*

*6/7/2012 Received in the House, passed 1<sup>st</sup> reading and referred to the House Committee on State Personnel*

### **SB 810 Regulatory Reform Act of 2012** (Rouzer, Brown, Davis)

An Act to (1) reestablish the Joint Legislative Administrative Procedure Oversight Committee; (2) make various technical and clarifying changes to the Administrative Procedures Act; (3) extend the effective date for changes to final decision-making authority in certain contested cases; (4) limit the period during which records of unclaimed property must be maintained; (5) require agencies to give written notice before auditing or examining a business; (6) clarify that the discharge of waste into waters of the state does not include the release of air contaminants into the outdoor atmosphere; (7) authorize rather than require the commission for public health to adopt rules for the testing of water from new drinking water wells for certain volatile organic compounds; (8) direct the Department of Environment and Natural Resources to track and report on permit processing times; (9) delay the effective date for compliance with wading pool fencing requirements from July 1, 2012, to January 1, 2013; and (10) direct the Commission for Public Health to amend the rules governing the duration of permits for sanitary landfills and the period in which those permits are reviewed, as recommended by the Joint Regulatory Reform Committee.

- This legislation is followed for its impact on the Department of Public Instruction and rule-making requirements.

*6/4/2012 Passed 3<sup>rd</sup> reading in the Senate, engrossed*

*6/6/2012 Passed 1<sup>st</sup> reading in the House and referred to the Commerce and Job Development Committee.*

### **SB 815 Reform Workforce Development** (Hartsell)

An Act initiating reform of the workforce development laws of North Carolina, modifying the composition of the North Carolina Commission on Workforce Development, and establishing the Joint Legislative Workforce Development System Reform Committee, as recommended by the [Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.

*6/7/2012 Received a favorable report in the Senate Commerce Committee*

**SB 820 (HB 1054) Clean Energy and Economic Security Act** (Rucho, Blake, Walters)

An Act to (1) reconstitute the Mining Commission as the Mining and Energy Commission, (2) require the Mining and Energy Commission and other regulatory agencies to develop a modern regulatory program for the management of oil and gas exploration and development activities in the state, including the use of horizontal drilling and hydraulic fracturing for that purpose, (3) authorize horizontal drilling and hydraulic fracturing, but prohibit the issuance of permits for these activities pending subsequent legislative action, (4) enhance landowner and public protections related to horizontal drilling and hydraulic fracturing, and (5) establish the Joint Legislative Commission on Energy Policy.

*6/5/2012 Committee substitute received a favorable report in the Commerce Committee, committee substitute was adopted.*

*6/6/2012 Passed 2<sup>nd</sup> and 3<sup>rd</sup> reading in the Senate.*

*6/6/2012 Received in the House, passed 1<sup>st</sup> reading and referred to the House Committee on Environment*

**SB 823 Repeal Prohibition on Teacher Prepayment** (Tillman, Preston, Soucek) (See also companion bill, H966)

An Act to repeal the prohibition on teacher prepayment provision in the School and Teacher Paperwork Reduction Act of 2011, as recommended by the [Joint Legislative Education Oversight Committee](#).

- This would repeal section 5 of SL 2011-379 (H720). The repeal would return salary payment requirements in G.S. 115C-302.1(b) to language existing prior to the 2011 Session.

*5/21/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Education, if favorable, referred to the Appropriations/Base Budget Committee*

**SB 842 (HB 1003) Child Nutrition Program Solvency and Support** (Hartsell)

An Act (1) to prohibit local school administrative units from assessing indirect costs to a Child Nutrition Program unless the program is financially solvent and (2) to appropriate funds to promote optimal pricing for child nutrition program foods and supplies, as recommended by [The Joint Legislative Program Evaluation Oversight Committee](#) based on recommendations from the Program Evaluation Division.

- This would appropriate \$80,000 to support the North Carolina Procurement Alliance.

*5/22/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Health Care*

**SB 851 Board and Commission Efficiency Act of 2012** (Brown, Rouzer, Soucek)

An Act to improve the efficiency of state government by abolishing certain state boards, commissions, and committees, reorganizing the membership of some state boards, commissions, and committees, and making conforming changes, as recommended by the Joint Regulatory Reform Committee.

*6/6/2012 Committee substitute received a favorable report in the Senate Program Evaluation Committee, committee substitute adopted*

*6/6/2012 Re-referred to the Senate Committee on Finance*

**SB 871 (HB 946) Restore Funding for Teaching Fellows Program** (Purcell)

An Act to restore funding for the Teaching Fellows Program.

- This would appropriate \$3,475,000 to restore funding.

*5/23/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Rules and Operations of the Senate*

**SB 874 (HB 1112) Arts Education as a Graduation Requirement** (Brunstetter)

An Act directing the State Board Of Education to require one arts education credit for graduation from high school, as recommended by the Arts Education Commission.

*5/23/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Education/Higher Education*

**SB 877 (HB 1030) Accountability for Taxpayer Investment Act** (Hise, Soucek)

An Act to require state agencies and certain non-state entities to develop, implement, and maintain information systems that provide uniform, program-level accountability information regarding the programs operated by those agencies, as recommended by the LRC Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation*

[SB 878 \(HB 1031\) Smarter Gov. Business Intelligence Initiative](#) (Hise, Soucek, Brock)

An Act to establish enterprise-wide business intelligence as a key component of all state governmental operations in order to maximize data integration and analytics, thereby yielding more efficient government and advancing innovation in North Carolina, as recommended by the Legislative Research Commission Study Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation*

[SB 879 \(HB 1042\) Establish Efficiency & Cost Savings Commission](#) (Hise, Soucek)

An Act to establish the Joint Legislative Efficiency And Cost Savings in State Government Study Commission, as recommended by the LRC Committee on Efficiencies in State Government.

*5/24/2012 Passed 1<sup>st</sup> reading, referred to the Senate Committee on Program Evaluation*

[SB 898 Bear Grass School Property Conveyance](#) (Jenkins)

An Act to require the Martin County Board Of Education to convey the Bear Grass School property to the Town of Bear Grass on a lease-to-purchase basis for specified consideration.

*5/29/2012 Passed 1<sup>st</sup> reading in the Senate, referred to the Committee on State and Local Government*

[SB 920 Increase Replacement Clyde/School Buses](#) (Tucker)

An Act to increase the replacement cycle on school buses and to reduce state expenditures for school buses accordingly.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the Senate Education/Higher Education Committee.*

[SB 924 Handgun on Ed. Property/Limited Exception](#) (Goolsby)

An Act to provide that a person who has a concealed handgun permit may carry a handgun on educational property that is the location of both a school and a place of worship during the regularly scheduled hours of worship, provided those hours do not coincide with the operating hours of the school.

*5/30/2012 Passed 1<sup>st</sup> reading, referred to the House Committee on Rules*

[SB 928 Repeal/Streamline DPI Reporting Requirements](#) (Tucker)

An Act to streamline public school reporting requirements.

*5/30/2012 Held as filed*

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